

Mayor and Council

700 Doug Davis Drive
Hapeville, GA 30354

January 23, 2018
6:00 PM

Agenda

1. Call To Order

2. Roll Call

Mayor Alan Hallman
Alderman at Large Michael Rast
Councilman at Large Travis Horsley
Councilman Ward I Mark Adams
Councilman Ward II Chloe Alexander

3. Welcome

4. Presentations

4.I. DCA Hotel/Motel Tax

Background:

City of Hapeville currently collects Hotel Motel Tax at a 7% rate under O.C.G.A 48-13-51(a)

(4.5). Council has requested a discussion item to explore the possibility of requesting a change to our collection category to 8%, under paragraph (a)(5.1) or (a) (5.2).

Included in the packet for historical and information purposes are: I January 19, 2017 Georgia Department of Community Affairs (DCA) Compliance Determination Letter I June 29, 2017 City of Hapeville – Compliance Response, June 29, 2017, and I July 27, 2017 DCA Close Out Letter I Excerpts of OCGA 48-13-51(a)(4.5), (5.1) and (5.2) I Ordinance Examples based on Thomasville and Brookhaven.

Documents:

[2017-01-19 DCA COMPLIANCE DETERMINATION.PDF](#)

[2017-07-27 DCA - CLOSE OUT LETTER.PDF](#)

[HM - OCGA 48-13-51 EXCERPTS.PDF](#)

[HM TAX - THOMASVILLE MODEL.PDF](#)

[HM - BROOKHAVEN MODEL.PDF](#)

5. Questions On Agenda Items

The public is encouraged to communicate their questions, concerns, and suggestions during Public Comments. The Council does listen to your concerns and will have Staff follow-up on any questions you raise. Any and all comments should be addressed to the Governing Body, not to the general public and delivered in a civil manner in keeping with common courtesy and decorum.

6. Public Hearing

6.I. Consideration And Action On A 2018 Alcohol Beverage License For A Restaurant For Uptown Comedy Corner At 397 North Central Avenue, Hapeville, Georgia 30354

Background:

Applicant: Angelo D. Sykes
Agent: Angelo D. Sykes

Address: 397 North Central Avenue
Parcel ID: 14 009600060034

All departmental reports have been received and staff has no questions or major concerns with this application at this time. Staff recommends approval.

Public Comment
Staff Comment
Mayor and Council Comment

Documents:

[UPTOWN COMEDY CORNER OCC. TAX DOCUMENT.PDF](#)
[UPTOWN COMEDY CORNER REDACTED APPLICATION.PDF](#)

7. Consent Agenda

7.I. Consideration And Action On Ordinance 2018-01 Home Occupation Tax Permit

Background:

During the review of home occupational tax permit applications, it has become clear that the current home occupational tax zoning requirements have limited what should otherwise be allowable uses by the intent of the Code. Specific occupations have been listed as not permitted, when they actually meet the intent of the Code - for example, real estate brokers. Staff is recommending a text amendment to clarify the intent of the home occupational tax allowable uses while eliminating specific occupational restrictions. The City Planning Commission considered this issue on Tuesday, December 12, 2017 and recommended approval pending two revisions. Staff supported their findings and recommendation. This ordinance was considered on first reading on January 9, 2018. This will be the second and final reading.

Documents:

[ORD - HOME OCCUPATION PC EDITS \(002\).PDF](#)

7.II. Consideration And Action On Ordinance 2018-02 Personnel Board Duties

Background:

While reviewing amendments to the City's employee handbook, the City Attorney suggested an amendment to Section 4-302 regarding duties of the Personnel Board. Such amendment is proposed in the attached ordinance.

One of amendments to the handbook involved designating a hearing officer to hear appeals of adverse job actions taken against employees. The current text of Section 4-302(c)(4) doesn't allow the Personnel Board to delegate its duty to hear appeals of employees. However, the proposed amendment will allow such delegation.

The current text of Section 4-302(c)(4) provides: "(c) The functions and duties of the board shall be as follows: (4) Hear the appeal of any officer or employee when the right of appeal is given by effectuating ordinance enacted pursuant to the authority of this chapter." The proposed text reads: "(c) The functions and duties of the board shall be as follows: (4) Hear an appeal, or delegate to another entity the hearing of an appeal, of any officer or employee when the right of appeal is given by effectuating ordinance, policy, or procedure enacted pursuant to the authority of this chapter."

This ordinance was considered on first reading on January 9, 2018. This will be the second and final reading.

Documents:

7.III. Consideration And Action On Resolution 2018-01 Hotel-Motel Tax Rate Change - 51(B)

Background

At the January 8, 2018 meeting, Council requested staff review 2 considerations for language authorizing the change to O.C.G.A 48-13-51(b). Staff has reviewed the language with the attorneys and provides the attached resolution for consideration and action.

Documents:

[HOTEL - MOTEL TAX RATE CHANGE - 51\(B\).PDF](#)

8. New Business

8.I. Consideration And Action To Select Lusk & Company Inc.as The Design/Builder Of The Theatre At 597 N. Central Avenue.

Background:

City staff solicted bids for the Theatre Project at 597 N. Central Avenue. Two firms submitted bids and they have been scored based on design solution, skill of staff, general conditions(fee), similar projects and other criteria. After interviewing both companies and totaling the scores up, Lusk & Company Inc. was the higher ranked firm. City staff recommends Lusk & Company as the firm to perform the design/build on the theatre project. At a later date, staff will bring back to council an actual cost amount for the design and build of the theatre. An estimated budget and conceptual designs have been submitted with the scoring sheets.

Documents:

[RFP SCORING SPREADSHEET - HAPEVILL THEATER.PDF](#)
[PROBABLE BUDGET.PDF](#)
[CONCEPT.PDF](#)
[CONCEPT 1.PDF](#)

9. City Manager Report

10. Public Comments

At this time, the Mayor opens the floor to comments from the audience. Comments should relate to a specific agenda item, not listed on the agenda for a Public Hearing, or to a concern within the jurisdiction of the City. Mayor and Council meetings serve the purpose of conducting city business and are not a forum for the unlimited expression of opinion. The Mayor reserves the right to limit comments to matters germane to city business and may refer speakers to the City Manager or other staff for resolution.

11. Mayor And Council Comments

12. Executive Session

When Executive is Required one will be called for the following issues: 1) Litigation O.C.G.A. §50-14-2; 2) Real Estate O.C.G.A. §50-14-3(b)(1); or 3) Personnel O.C.G.A. §50-14-3(b)(2).

13. Adjourn

Public involvement and citizen engagement is welcome as Hapeville operates a very open, accessible and transparent government. We do however remind our attendees/residents that there

are times allocated for public comments on the agenda. In order for council to conduct their necessary business at each meeting, we respectfully ask that side-bar conversations and comments be reserved for the appropriate time during the meeting. This will allow the City Council to conduct the business at hand and afford our meeting attendees ample time for comments at the appropriate time during the meeting.